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Defendant Gary W. Rodrigues

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF HAWAII

JEANNE K. ENDO,	)	CIVIL NO. 03-00563 LEK
)	
Plaintiff,	)	THIRD-PARTY DEFENDANT GARY
	)	W. RODRIGUES' EIGHTH MOTION
vs.	)	IN LIMINE TO BAR ANY
	)	EVIDENCE REGARDING AN
UNITED PUBLIC WORKERS, AFSCME	)	ARTICLE CRITICAL OF
LOCAL 646, AFL-CIO,	)	PLAINTIFF WHICH CLIFFORD T.
	)	UWAINE WROTE PURPORTEDLY AT
Defendant.	)	RODRIGUES' REQUEST;
	)	MEMORANDUM IN SUPPORT;
vs.	)	CERTIFICATE OF SERVICE
)	
GARY W. RODRIGUES,)	
)	
Third-Party)	
Defendant)	
)	
	)	TRIAL: May 13, 2008

THIRD-PARTY DEFENDANT GARY RODRIGUES'
EIGHTH MOTION IN LIMINE TO BAR ANY EVIDENCE
REGARDING AN ARTICLE CRITICAL OF PLAINTIFF WHICH
CLIFFORD T. UWAINE WROTE PURPORTEDLY AT RODRIGUES' REQUEST

Comes now Third-Party Defendant GARY W. RODRIGUES
(hereinafter referred to as "Rodrigues"), by and through his
attorneys, and hereby moves in limine for an order barring any

evidence regarding an article critical of Plaintiff which Clifford T. Uwaine wrote purportedly at the request of Rodrigues for the purpose of terminating her on the basis that such evidence:

1. Is not based on personal knowledge as required by Rules 602 and 701, FRE;
2. Will result in unfair prejudice to Defendant, confuse the issues in this case and/or mislead the jury in violation of Rule 403, FRE and;
3. Is barred by Rules 404(b) and 802, FRE.

This motion is brought pursuant to Rule 7(b) of the Federal Rules of Civil Procedure, Rules 403, 404, 602, 701, and 802, FRE, Rule 16.9, Local Rules of Practice for the United States District Court for the District of Hawaii, and is based upon the memorandum attached hereto, the records and files in this action and such further evidence or argument which may be presented at a hearing on the motion.

DATED: Honolulu, April 22, 2008.

/s/ Eric A. Seitz
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Defendant Gary Rodrigues